IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO : 22188 of 1995

Between:

Boda Venkateshwarlu, S/o Parvathalu, Grand Son of B.Ramiah, Chinabandirevu Village, Dummugudem Mandalam,
Khammam

..... PETITIONER

AND

1 The District Collector Khammam, Khammam District
2 The Revenue Divisional Officer, Bhadrachalam, Khammam
3 The Mandal Revenue Officer, Dummugudem Mandalam, Khammam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in nature of writ of Mandamus directing the respondents not to interfere with petitioner's possession in respect of the land admeasuring H.2.06 A in Sy.No.37/2 situate at Chinabanbandirevu village, Dummugudem Mandalam, Khammam District and pass such other order or orders.

Counsel for the Petitioner:MR.K.MANIKYALA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO.22188 OF 1995

O R D E R:

Heard learned counsel for the parties.

The writ petition has been filed seeking a Mandamus that respondents should not interfere with the possession of the petitioner in respect of the land measuring Hec.2.06 A situated in Sy.No.37/2 of Chinabandirevu Village, Khammam District.

In the counter-affidavit, it has been stated that in terms of G.O.Ms.No.41, dated 12-01-1971, the petitioner has to prove his possession from 01-07-1960 to 12-01-1971 and the petitioner does not come under the purview of G.O.Ms.No.41.

The petitioner failed to prove his possession and title, in this view of the matter, as there are disputed questions of fact, which cannot be gone into by this Court in these proceedings, the writ petition is dismissed. However, the petitioner is at liberty to seek appropriate remedies that may be available to him in law. No order as to costs.

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(Bilal Nazki,J)

31st March, 2005

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To

1 The District Collector Khammam, Khammam District
2 The Revenue Divisional Officer, Bhadrachalam, Khammam
3 The Mandal Revenue Officer, Dummugudem Mandalam, Khammam

4 Two C.Cs to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad (OUT)

5 1 CC to Mr.Manikyala Rao

6 Two C.D copies.